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## **CBNV Update**

On May 14, 2012, Residential Funding Company, LLC ("RFC"), filed Chapter 11 bankruptcy in the United States Bankruptcy Court for the Southern District of New York, case no. 12-12019. The bankruptcy is part of a consolidated proceeding, case no. 12-12020, in which RFC and its parent company ResCap, LLC, along with numerous other affiliated subsidiaries, have sought bankruptcy protection.

Once the bankruptcy was filed, an automatic stay of litigation against RFC went into effect. The claims of the plaintiffs and the putative class are listed in the bankruptcy filing as contingent, unliquidated and unsecured claims. We are represented in the bankruptcy proceeding as one of a 9 member general unsecured creditors committee through borrower, Rowena Drennen. The committee has retained counsel and other consultants to represent the unsecured creditors.

In the litigation RFC acquired loans over a span of time from 2 different originators or lenders - Guarantee National Bank of Tallahassee "GNBT" or Community Bank of Northern Virginia now known though acquisitions and mergers as "PNC." Both of the originators are also defendants in the litigation. Although originator, GNBT, remains a defendant, it has been taken over by the FDIC and has a very limited ability to pay damages. The other originator, PNC remains a defendant and is listed on the New York Stock Exchange.

You may have received in the mail a notice of the bankruptcy filing. That notice provides very general information about the bankruptcy. Currently there is no claims bar date set in the bankruptcy so there is no action required at this time by the borrowers. If and when a bar date is set you will receive a new notice of the requirements for filing a claim.

At this time, we are unable to predict what will ultimately occur in the bankruptcy proceedings or when the bankruptcy will be resolved.

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